IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE TWENTY FOURTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT APPEAL NO: 2142 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 27/08/2003 in WP NO : 14192 OF 2000 on the file of the High Court.)

Between:

P. Somasundara Rao, Asst. Executive (E-O Retd),
Employment No. 100195, Visakhapatnam Steel Plant, Visakhapatnam.

..... APPELLANT

AND

1 Visakhapatnam Steel Plant represent by its Chairman and Managing

Director, Visakhapatnam.
2 The Director (Personnel) Visakhapatnam Steel Plant, Visakhapatnam.
3 The General Manager (Personnel) Visakhapatnam Steel Plant,

Visakhapatnam.
4 M.V. Sivaram Prasad, Employment No. 100228 presently E-2 Grade,
Asst. Manager (MM) Stores Section, Visakhapatnam Steel Plant,

Visakhapatnam.

.....RESPONDENTS

Counsel for the Appellant: MR.K.S.MURTHY

Counsel for the Respondents: MR.V.RAVINDER RAO

The Court at the stage of admission made the following:

HONOURABLE SMT.JUSTICE T.MEENA KUMARI

AND

HONOURABLE SRI JUSTICE S.ANANDA REDDY

WRIT APPEAL NO.2142 OF 2004

JUDGMENT: (per T.Meena Kumari, J)

This writ appeal is directed against the order of dismissal passed by the learned Single Judge of this Court, dated 27-08-2003 in W.P.No.14192 of 2000.

2. The appellant filed the writ petition seeking to declare the action of the respondents in not promoting the petitioner from Grade E-0 to E-1 and Grade E-1 to E-2 along with his juniors which are effected in proceedings dated 05-07-1997 and 17-07-2000 respectively as illegal, arbitrary and consequently direct the respondents to place the petitioner over and above the 4th respondent by notionally promoting him to E-1 and E-2 Grades with effect from the date of promotion of his juniors with all consequential benefits.

3. The learned Single Judge, on appreciation of the material placed before him, observed that for promotion to the post of E-1 Grade from E-0 Grade, as per the policy for promotion in the 1st respondent organization one must undergo comprehensive managerial course as stipulated and the petitioner did not enroll for the prescribed training programme and attend the training classes. He further observed that since the petitioner has not availed the opportunity of undergoing prescribed training in the managerial course, which is a condition precedent for promotion to E-1 Grade from E-0 Grade and as the promotion claimed is not automatic, the petitioner is not entitled for the claim made in the writ petition and dismissed the said writ petition.

4. Aggrieved by the same, the present writ appeal is filed.

5. Having heard both sides and on perusal of the order under challenge and the entire material on record, we do not find any grounds to interfere with the order passed by the learned Single Judge in W.P.No.14192 of 2000 dated 27-08-2003.

6. Accordingly, the Writ Appeal is dismissed. No costs.

_____

T.MEENA KUMARI, J

_____

S.ANANDA REDDY, J

24th January, 2005

SKM

TO

1 The Chairman and Managing

Director, Visakhapatnam, Steel Plant Visakhapatnam.
2 The Director (Personnel) Visakhapatnam Steel Plant, Visakhapatnam.
3 The General Manager (Personnel) Visakhapatnam Steel Plant,

Visakhapatnam.
4 Two C.D. Copies.